

Apr 17, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TERESA S.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:18-cv-03193-RHW

**ORDER GRANTING MOTION FOR
REMAND FOR FURTHER
PROCEEDINGS**

Before the Court is a Stipulated Motion for Remand and jointly move the Court to remand for further administrative proceedings. **ECF No. 12**. Based on the agreement of the parties and the record, the Court finds good cause to grant the motion.

The Commissioner's decision to deny Plaintiff's application for disability benefits is **REVERSED** and **REMANDED** for further proceedings including a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the administrative law judge shall: (1) reevaluate the opinion evidence of record; (2) reassess Plaintiff's maximum residual functional capacity; (3) offer Plaintiff the opportunity for a hearing; and (4) take any further action needed to complete the administrative record.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulated Motion for Remand, **ECF No. 12**, is **GRANTED**.

3 2. The Commissioner's decision is **REVERSED** and this matter is
4 **REMANDED** for further administrative proceedings consistent with this
5 order.

6 3. All pending motions in this matter are now moot.

7 4. Reasonable attorney fees may be awarded under the Equal Access to
8 Justice Act, 28 U.S.C. § 2412 and/or 28 U.S.C. § 1920, upon proper request
9 to the Court.

10 5. The District Court Executive shall enter judgment for the Plaintiff and
11 against Defendant.

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13 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
14 Order, forward copies to counsel, and **close the file**.

15 **DATED** this 17th day of April, 2019.

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17 *s/Robert H. Whaley*
18 ROBERT H. WHALEY
19 Senior United States District Judge
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